

Special Projects Legislation

In November 1978, the County Charter was amended, requiring certain County funded special capital improvement projects to be individually authorized by law. The County Executive and County Council have fulfilled this obligation each year, affording citizens of Montgomery County greater opportunity to participate in the capital budget process and to petition projects to referendum at the next scheduled election. This section of the CIP is for informational purposes only and describes the County's statutory obligations, as well as previously authorized projects and proposed special projects legislation.

Section 302 of the County Charter and Section 20-1 of the County Code require that all capital improvement projects which meet any of the following criteria be individually authorized by law: (1) all capital projects (except those excluded by law and discussed below) which are in excess of the annually revised cost criterion established by law; (2) all capital projects which are determined by the County Council to possess unusual characteristics; or (3) any capital project which is determined to be of sufficient public importance to warrant special legislation. However, projects that are mandated by law, interstate compact, or required by law to serve two or more jurisdictions are not subject to this requirement. Unless mandated by law, capital improvements of the following agencies are not subject to special legislation: Montgomery College, Montgomery County Public Schools, Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission, Montgomery County Housing Opportunities Commission, Montgomery County Revenue Authority, and the Washington Metropolitan Area Transit Authority. Additionally, any capital improvement project which the County Council independently declares an emergency (an emergency appropriation resolution alone does not qualify) is not subject to this requirement.

Section 20-1 of the County Code applies special capital improvement project requirements to all buildings, roads, utilities, parks, and related improvements which are proposed for development on a single, unified site; are identifiable as separate facilities; and meet one of the three County Charter criteria described above. The cost criterion, which determines whether a project needs special legislation, is revised by an annual Executive Order and reflects the annual change in the published composite cost index established by the Department of Commerce.

The following chart illustrates the revisions in the cost criterion to date:

<u>Base Year</u>	<u>Cost Criteria</u> ((\$000s)	<u>CIP</u>	<u>Base Year</u>	<u>Cost Criteria</u> ((\$000s)	<u>CIP</u>
1978	4,000	FY80-85	1990	6,975	FY92-97
1979	4,540	FY81-86	1991	7,089	FY93-98
1980	5,025	FY82-87	1992	7,089	FY94-99
1981	5,359	FY83-88	1993	7,354	FY95-00
1982	5,525	FY84-89	1994	7,652	FY96-01
1983	5,600	FY85-90	1995	8,022	FY97-02
1984	5,600	FY86-91	1996	8,411	FY98-03
1985	5,738	FY87-92	1997	8,697	FY99-04
1986	6,322	FY88-93	1998	8,895	FY00-05
1987	6,406	FY89-94	1999	9,314	FY01-06
1988	6,512	FY90-95	2001	10,063	FY03-08
1989	6,685	FY91-96	2003	11,150	FY05-10

The cost criterion applicable to projects in the FY05 Capital Budget and the FY05-10 Capital Improvements Program is \$11,150,000.

Public hearings, as required by law for all legislation, will be conducted in the spring, and any special capital improvement authorization enacted by the County Council is valid for five years after the authorization becomes law. The Council may reauthorize a project before or after an existing authorization expires. An authorized project need not be reauthorized if a contract for construction of the project is executed before the authorization expires. The requirements do not apply to projects financed with Revenue Bonds.

The chart included for reference in this section illustrates all capital improvement projects that have been previously authorized and capital improvement projects for which authorization is being, or will be, requested. The chart also references capital improvement projects that by definition are not subject to authorization but which exceed \$11.150 million in total County funded cost. Previously authorized capital projects, which were necessary for the protection of public health and safety and, thus, were authorized as "emergency" projects, were adopted by resolution and are so noted.

STATUS OF SPECIAL CAPITAL IMPROVEMENTS PROJECTS LEGISLATION

JANUARY 2004

Project #	Project Title	Current Est. Total Cost (\$000s)	Resolution Number	Bill Number	Date	Current Status/ Remarks
General Government						
<u>County Offices and Other Improvements</u>						
500004	Glen Echo Park	20,600				Not Required
509904	Strathmore Hall Arts Center	95,625		9-99	5/16/2000	
<u>Economic Development</u>						
159281	Silver Spring Redevelopment Pgm	73,938				Not Required
<u>Nondepartmental</u>						
316222	ALARF: MCG	64,825				Not Required
<u>Technology Services</u>						
509651	Fibernet	28,986				Not Required
Public Safety						
<u>Correction and Rehabilitation</u>						
429755	Detention Center Reuse	22,861		10-02	5/23/2002	
429006	Montgomery County Correctional Facility	94,199		6-96	4/23/1996	
<u>County Offices and Other Improvements</u>						
100300	Judicial Center Annex	46,098				Required recommended in FY07
<u>Fire/Rescue Services</u>						
459902	Silver Spring Sta 1 Replacement/ Police Substation	13,318		11-02	5/23/2002	
<u>Police</u>						
479909	PSTA Academic Building Complex	22,877		6-03	5/14/2003	
Transportation						
<u>Highway Maintenance Section</u>						
509928	Brookville Service Park	11,659		7-03	5/14/2003	
508527	Resurfacing: Primary/Arterial	32,850				Not Required
509927	Seven Locks Technical Center Phase II	11,520				Required recommend in FY05
508182	Sidewalk & Infrastructure Revit.	33,952				Not Required

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<u>Mass Transit</u>						
509974	Silver Spring Transit Center	39,883				Not Required
<u>Parking Facilities</u>						
500324	Pkg Beth Woodmont Corner Garage (11) Restoration	19,666				Not Required
508250	Pkg Sil Spg Fac Renovations	12,563				Not Required
<u>Pedestrian Facilities/Bikeways & Trails</u>						
509325	ADA Compliance: Transportation	16,789				Not Required
<u>Roads</u>						
509337	Facility Planning-Transportation	42,616				Not Required
500516	Father Hurley Blvd. Extended	14,496				Required recommend in FY06
500338	Highway Noise Abatement	12,456				Not Required
500311	Montrose Parkway West	67,559		12-02	5/23/2002	
500401	Nebel Street Extended	11,252				Required Recommend in FY05
<u>Traffic Improvements</u>						
509399	Advanced Transportation Management System	32,380				Not Required
507154	Traffic Signals	19,781				Not Required
Solid Waste-Sanitation						
<u>Solid Waste Management</u>						
500550	Transfer Station and Related Ancillary Facilities	11,223				Required recommend in FY05
Health and Human Services						
<u>Health and Human Services</u>						
640501	Broome School	19,748				Required recommend in FY10

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Culture and Recreation						
<u>Libraries</u>						
710500	Clarksburg Library	11,960				Required recommend in FY08
710101	Germantown Library	19,693		13-02	5/23/2002	
719905	Rockville Library	26,304		18-00	7/18/2000	
710302	Silver Spring Library	13,599				Required recommend in FY08
710503	Wheaton Library Renovation	11,866				Required recommend in FY09
<u>Recreation</u>						
720100	North Bethesda Community Recreation Center	11,723				Required recommend in FY10
720102	North Potomac Community Recreation Center	20,881				Required recommend in FY06
720101	White Oak Community Recreation Center	15,902				Required recommend in FY07
Conservation of Natural Resources						
<u>Ag Land Preservation</u>						
788911	Ag Land Pres Easements	26,523				Not Required
<u>Impoundments</u>						
808726	SM Retrofit: Countywide	11,468				Not Required
Housing Opportunities Commission						
<u>Housing - HOC</u>						
809482	HOC Cty Guaranteed Bond Projects	50,000				Not Required
Revenue Authority						
<u>Miscellaneous Projects (Revenue Authority)</u>						
003901	Germantown Indoor Swim Center	20,628				Not Required
703909	Montgomery County Airpark	26,794				Not Required

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Montgomery County Public Schools

Countywide

926575	Current Replacements/Modernizations	435,441				Not Required
746032	Design and Construction Management	25,261				Not Required
956547	Educational Technology: Global Access	33,506				Not Required
816633	HVAC Replacement / FACE Program: MCPS	22,839				Not Required
896586	Planned Life Cycle Asset Repl: MCPS	22,962				Not Required
916587	Rehab/Reno.Of Closed Schools- RROCS	63,370				Not Required
846540	Relocatable Classrooms	26,944				Not Required
766995	Roof Replacement: MCPS	20,276				Not Required
886550	School Gymnasiums	40,022				Not Required
036510	Technology Modernization	83,929				Not Required

Individual Schools

026507	Clarksburg Area H.S. (Rocky Hill Conversion)	47,040				Not Required
026508	Clarksburg Area M.S. (Rocky Hill Replacement)	27,243				Not Required
036503	Northeast Consortium E.S. #16	16,493				Not Required
906592	Northwest High School	20,952				Not Required
016545	Northwood High School	27,136				Not Required
026506	Quince Orchard Middle School #2	26,171				Not Required

Montgomery College

Higher Education

906605	Planning, Design & Construction	14,031				Not Required
036600	Rockville Science Center	19,124				Not Required
996662	Takoma Park Campus Expansion	90,123				Not Required

M-NCPPC

Acquisition

727007	ALARF: M-NCPPC	28,629				Not Required
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(\$000s)						
WSSC						
<u>Sewerage Bi-County</u>						
973817	Blue Plains WWTP: Biological Nutrient Removal	32,873				Not Required
954812	Blue Plains WWTP: Biosolids Mgmt PT2	194,701				Not Required
954811	Blue Plains WWTP: Liquid Train PT 2	214,641				Not Required
023805	Blue Plains WWTP:Plant Wide Projects	125,726				Not Required
<u>Sewerage Montgomery County</u>						
973820	Rock Creek Wastewater Facilities	25,657				Not Required
804537	Rock Run Sewage Treatment Facility	222,717				Not Required
973821	Seneca WWTP Expansion	71,961				Not Required
<u>Water Bi-County</u>						
973837	Patuxent Water Treatment Implementation	45,959				Not Required
033807	Patuxent WFP Phase II Expansion	33,686				Not Required
934855	Potomac Bi-County Supply Main	72,465				Not Required
033805	Potomac WFP Emergency Power	11,992				Not Required
033811	Potomac WFP Improvements	72,139				Not Required